ALBERTA
LAW REFORM
INSTITUTE

ANNUAL REPORT
1991-1992

AUGUST 1992

93-02827/

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ALBERTA LAW REFORM INSTITUTE

EDMONTON, ALBERTA

ANNUAL REPORT
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AUGUST 1992

ISSN 0229-6276
ISBN 0-8886-4179-6

TABLE OF CONTENTS

THE INSTITUTE'S MANDATE 1

THE STRUCTURE OF THE INSTITUTE 2

WORKING METHODOLOGY 5

REPORTING 7

THE YEAR IN REVIEW 9

WORK IN PROGRESS 13

ACKNOWLEDGEMENTS 17

APPENDIX — INSTITUTE REPORTS 19

THE INSTITUTE'S MANDATE

The Institute of Law Research and Reform was established in 1968 by the Attorney General of Alberta, the Governors of the University of Alberta and the Law Society of Alberta. The new name "**Alberta Law Reform Institute**" was adopted in 1989.

Funding for the Institute comes from the Department of the Attorney General and the Alberta Law Foundation. The University provides the Institute with office premises and many additional services, including a small cash grant.

The objectives of the Institute set out in the Founding Agreement are as follows:

- to conduct and direct research into law and the administration of justice;
- to consider matters of law reform with a view to proposing to the appropriate authority the means by which the law may be made more useful and effective; and
- to promote law research and reform.
- for the purposes described above, to work in cooperation with the Faculty of Law of the University of Alberta, the Faculty of Law of the University of Calgary, and with others.

THE STRUCTURE OF THE INSTITUTE

The Institute's governing body is its **Board**. The Board consists of certain defined members, being representative of the founding parties, and the Director representing the Institute. These defined members appoint not less than four and no more than seven other members at large. The Board meets monthly. It reviews the overall operations of the Institute, approves all reports and the direction of research projects. Most members sit on several Board committees as well as on the full Board.

The Institute's Director, who serves as its chief executive officer, is a member of the Board and is responsible for the operation of the Institute. The Management and Personnel Committee assists the Director on any management or personnel matters arising within the Institute, considers the Institute's budget and salaries of the Director and Counsel. The salary or other remuneration provided to the Board members is considered by the Remuneration Committee.

The Project Selection Committee monitors a workload for the Institute as a whole, ensures that individual projects are viable and reviews the assignment of project topics. The Committee recommends to the Board whether to accept and to undertake the project.

The membership of the Board in the year in review:

C.W. Dalton	Director, Legal Research & Analysis, Dept. of the Attorney General
Mr. Justice J.L. Foster	Court of Queen's Bench of Alberta, Edmonton
Adelle Fruman	Partner, Atkinson McMahon
Alan D. Hunter, Q.C.	Chairman, Senior Partner, Code Hunter. Appointed by the Law Society of Alberta
W.H. Hurlburt, Q.C.	Nominee of the Attorney General of Alberta
H.J.L. Irwin	Partner, Corbett & Company
David P. Jones, Q.C.	Senior Partner, de Villars Jones
Professor F.A. Laux	Nominee of the Faculty of Law, University of Alberta
Professor J.C. Levy	Nominee of the Faculty of Law, University of Calgary
Prof. Peter J.M. Lown	Director, Professor of Law, University of Alberta
Madam Justice B.L. Rawlins	Court of Queen's Bench of Alberta, Calgary
A.C.L. Sims, Q.C.	Chairman, Alberta Labour Relations Board

The legal personnel at the Institute:

RICHARD H. BOWES, LL.B. (Toronto) 1981, LL.M. (London) 1982
Joined the staff in 1986 after practising in Edmonton with the firm of Field & Field. Responsible for projects on Creditors' Remedies, Cost of Credit Disclosure, and Plain Language.

CHRISTINA GAUK, LL.B. (Alberta) 1974, Ph.D. (Cambridge) 1990
Joined the Institute in 1988 after private consulting work in Edmonton and doctoral studies at Cambridge. Responsible for projects on Administrative Procedures, Computer Evidence and Plain Language.

JANICE HENDERSON-LYPKIE, LL.B. (Alberta) 1981
Joined the Institute in 1988 after practising in Edmonton with the firm of Emery Jamieson. Responsible for projects on Mortgage Remedies in Alberta, Non-pecuniary Damages in Wrongful Death Actions, Succession Law, and Plain Language.

W.H. HURLBURT, Q.C., LL.B. (Alberta) 1949
Counsel to the firm of Reynolds, Mirth, Richards & Farmer. Former Director of the Institute (1975 to 1986). Special Consultant to the Institute since 1986. Responsible for projects on Land Titles and Public Inquiries.

PETER J.M. LOWN, LL.B. (Honors) (Glasgow) 1968,
LL.M. (Saskatchewan) 1973
Professor of Law, University of Alberta, 1969 to date. Joined the Institute as Special Counsel in 1987 and appointed Director April 1, 1988.

MARGARET A. SHONE, LL.B. (Toronto) 1969,
LL.M. (Alberta) 1976
Joined the Institute in 1970 after completion of Masters degree. The most senior of Institute counsel. Responsible for projects on Status of Children, Dispute Resolution the Domestic Relations Act and Plain Language.

ERIC T. SPINK, LL.B. (Alberta) 1978
Joined the Institute in 1990 after holding the position of Director of Enforcement with the Alberta Securities Commission. Responsible for projects on Canadian Depository for Securities, Dispute Resolution and Plain Language.

In addition to a full-time staff, the Institute retains special counsel for their expertise in specified subject areas. Also a Faculty of Law member may be seconded to the Institute for a period of one or two years. The special counsel at the Institute are:

Anne de Villars, Partner, de Villars Jones. Special responsibility for projects on Surrogate Rules Review and Administration of Estates.

Julien D. Payne, Professor of Law, University of Ottawa. Special responsibility for revision to Provincial Family Legislation.

Gerald B. Robertson, Professor of Law, University of Alberta. Special responsibility for a project on Enduring Powers of Attorney.

Roderick J. Wood, Associate Professor of Law, University of Alberta. Special responsibility for a project on Liens.

Bruce P. Ziff, Associate Dean, Faculty of Law, University of Alberta. Special responsibility for a project on the Family Home.

Librarian

Tanya Filanovsky, M.L.S. (Alberta), Ph.D. (St. Petersburg, Russia).

Support Staff

The management and production of Board materials, finished reports and their distribution is a significant responsibility for a small but dedicated and very efficient support staff:

Carole Worock, Administrator
Shirley Ewmett, Secretary to the Director
Cheryl Holowaty, Secretary to the Counsel
Marlene Welton, Library Assistant

Summer Research Students

Susan Bocock
Kim Gowan
Kate Hurlburt
Kerry Rittich
Yvon Seveny

WORKING METHODOLOGY

It is essential that a law reform agency be truly "independent". The Institute's Board makes its own decision as to whether the Institute can and should take on a project and what kind of documents will be produced.

Suggestions for law reform projects can come from any source. First, the Institute has undertaken much of its work at the suggestion of the Attorney General and other government departments. From time to time suggestions are received from different political parties. The Institute endeavours to maintain regular contact with members of the Legislature and the Cabinet by sending all of them copies of the Institute's reports.

Our projects on Cost of Credit, Fatal Accidents and Surrogate Rules were the result of requests from government departments.

Another source of suggestions for law reform projects is the legal profession. Members of the Bar or members of the judiciary often make suggestions as to matters which ought to be addressed. The Board and counsel may have a particular expertise which is best to employ, and there is a possibility that work in one area will suggest several related projects. Through the office of the Director, it is open to any person to bring topics for modernization of the law and administration of justice in the province.

The Institute maintains standing files on all suggestions received for law reform projects. The Project Selection Committee reviews them on a regular basis and assigns the preparation of a feasibility study to indicate the nature of issues and the potential for change.

Inevitably, selection of projects reflects the concerns of the particular period and changing needs of society. Thus, the Board accepts only those projects that raise contemporary and compelling issues of a relatively discrete nature. This pragmatic approach tends to result in recommendations of law reform which will likely gain the acceptance of the Legislature.

At the time of adoption of a project by the Board, the Project Selection Committee identifies the parameters of the project, the working methodology, the likely work output, cost of the project, and the sociopolitical climate, which may lead to acceptance of the proposals. Usually one counsel is responsible for the project.

For each approved project the Board appoints a subcommittee managing the project. It consists of the counsel in charge of the project, the Director of the Institute, at least one Board member, and such other persons as may be of significant benefit to the project. The subcommittee provides an opportunity to fine-tune materials before submission of the proposed legislation to the full Board.

The Institute cooperates with other law reform agencies in Canada and the Uniform Law Conference of Canada in various forms of joint projects. The Institute's offices represent the head office of the Federation of Law Reform Agencies of Canada, incorporated in 1991. The Director of the Institute, Professor Peter J.M. Lown, is one of the directors of this organization.

The appointment of Professor Lown as Chairman of the Uniform Law Section of the Uniform Law Conference of Canada may result in greater cooperation on potential law reform ventures.

REPORTING

The research work on the project leads to the preparation of various documents. Depending on the nature of the project, the level of its complexity and the necessity of public comment, the Institute publishes four kinds of documents that are widely distributed.

Distribution is as follows: all government departments, all members of the Legislature and Cabinet, all members of the judicial ranks, all legal firms in the province, all law libraries in the province, all law reform agencies in the British Commonwealth, a large number of other selected Canadian depositories, approximately 400 law libraries in the western world, and persons and organizations who have corresponded on a project or indicated an interest it. It is open to any individual member of the profession to request that that person's name be put on the Institute's mailing list. Copies are distributed free of charge.

Research Papers

These papers contain the preliminary results obtained in the initial steps of certain projects when it is thought useful to disseminate these results for the benefit of the legal profession and the public.

Issues Papers

These documents are also prepared in the early stages of a project. They outline the nature of the problem under consideration, the existing law, the questions to be investigated and possible tentative proposals. The Issues Papers are consultative documents distributed only in certain projects for checking public opinion on issues which need to be addressed.

Reports for Discussion

These documents, created for commentary and consultation, are much fuller than Issues Papers. The purpose of such a document is to allow both professional and public input on the Institute's proposals before a Final Report is made. Reports for Discussion reflect different views and opinions and correspond to working papers of some law reform agencies. They are more precise and analytical than Issues Papers, and usually contain further detailed research accompanied by the Institute's solutions to the problems arising and recommendations for improvement and modernization of the law.

Final Reports

These documents formulate the position taken by the Institute after all due deliberation and include draft legislation. Each report contains an executive summary. Copies of the summary are mailed to each member of the practising bar in the province and those individuals whose interest was identified during the course of the project. As a matter of convention, although it is not a requirement, the Institute "reports" to the Attorney General.

In addition to papers and reports incorporating its work product, the Institute publishes the **Annual Report** which presents the progress made by the Institute during the year in review.

THE YEAR IN REVIEW

Mortgage Remedies in Alberta

Our Report for Discussion No. 9 divides easily into two parts. The first part is a thorough review and analysis of the remedies in respect of mortgages over land in Alberta. While this review is intended as a background for the recommendations which follow, it is pleasing to note that judicial comment has already referred to the report as a very accurate and comprehensive summary of the law in this area.

The provisional recommendations suggest:

- continued judicial supervision of the foreclosure process;
- deficiency judgment protection for individuals who grant mortgages over residential or farm land;
- the protection should be available as against Crown lenders;
- broadening of the covenant to pay in section 62 of the *Land Titles Act*;
- substantially restricting the effect of attornment clauses, as against individual borrowers charging residential or farm land;
- retaining the current law with respect to due-on-sale clauses;
- retain the Rice order procedure, but with additional safeguards to ensure adequate evaluation.

Revision of the Surrogate Rules

Report for Discussion No. 10, a joint report with the Surrogate Rules Committee represents the blueprint for a wholesale review of the procedural rules and forms involved in surrogate practice.

The blueprint espouses the philosophy that the surrogate process, though supervised by the court, is driven by the personal representative. The personal representative has the responsibility for moving the administration of the estate through the system, using the courts where their intervention is necessary, but otherwise following an administrative pathway which is clearly set out in the rules. However, that responsibility is partnered by one which attaches to the beneficiaries who, having been given notice of their interest, and being informed of the progress of estate administration have a responsibility to protect that interest. The rules should therefore contain provisions relating to notice to beneficiaries and methods by which the beneficiaries can receive information or resolve issues.

To accommodate these changes the rules propose:

- that the process follow a logical continuum from application for grant through to accounting and final distribution;
- that the rules be divided into contentious and non-contentious business;
- that special procedures apply to formal validation of a will and to passing of accounts;
- that the rules be complemented by a comprehensive set of forms following a logical flow of information, avoiding duplication of information and making the appearance of the forms and their content more visually pleasing and comprehensible;
- that the forms be produced in a computer-compatible way and be provided to users in electronic as well as documentary format.

The intention of the report is to provide one comprehensive occasion for all rules of procedure relating to surrogate practice. To accomplish that procedural matters residing in various statutes should be brought into the rules and substantive law of provisions in the current rules should be moved to appropriate statutes. To anticipate that need a separate list of statutory amendments has been prepared in order to make a number of succession statutes compatible with the rules.

Advance Directives and Substitute Decision-Making in Personal Health Care

Report for Discussion No. 11 represents the second phase of proposals allowing an individual to provide in advance for potential loss of capacity. The first phase was enacted in June of 1991 by the *Powers of Attorney Act*.

Among 26 recommendations the most significant are:

- creation of a model which combines the ability of the individual to give instructions for treatment or appoint a health care agent, and resort to a statutory list of relatives where the individual has not given an advance directive;
- allow maximum flexibility for the instructions;
- provide formalities for the creation of the directive which are as simple as possible—signature and one witness;
- the decision of the substitute should replicate as closely as possible the decision which the individual has made.

Non-Pecuniary Damages in Wrongful Death Actions—A Review of Section 8 of the *Fatal Accidents Act*

Report for Discussion No. 12 reviews changes that were made to the *Fatal Accidents Act* in 1979 by which a direct cause of action for damages for bereavement was given to close relatives of the deceased.

After significant consultations with the public, lawyers practicing in this area, and organizations and families affected by fatal accidents the report recommends:

- expansion of out-of-pocket expenses to provide for more reasonable allowance for funeral, travel and grief counselling expenses;
- continuation of a capped amount for damages;
- increase of the capped amount to $40,000 damages to the parents for the death of a child or $25,000 to each child for the death of a parent (to a maximum total of $50,000);
- mandatory review of the capped amount every three years.

Public Inquiries

Issues Paper No. 3 is the first part of a study of the form, content, function and operation of the *Public Inquiries Act*. This study draws on the experience of many inquiry commissioners and counsel from across the country.

In carrying out this review the Institute had in mind several major policy issues:

- Allowing the commission to carry out its task as efficiently as possible by providing the appropriate powers to the commission and immunities to the participants;

- protecting individuals against the potential damage caused by the use of coercive powers in an inquiry context;

- whether any legislative response is appropriate to deal with the time and cost taken by large public inquiries.

These issues are dealt with throughout the review of the appointment, powers, conduct and reporting of the commission, as well as dealing with the protection of individuals and of the participants in the process.

WORK IN PROGRESS

The Institute has a large agenda of items which are currently under review and on which it expects to report in the future. These topics include:

Administrative Procedures Legislation

The existing *Administrative Procedures Act* applies to very few of the hundreds of provincial administrative agencies that make decisions affecting rights and interests. The aim of the project is to determine if more broadly applicable legislation is needed prescribing procedures that are consistent for similar functions, certain, visible to those who deal with the agencies, and that adequately balance individual rights with the efficiency of the agencies. The project also addresses whether the agencies have powers necessary to carry out their functions, and whether there is a need for a coordinating body amongst agencies. A detailed list of agencies, their existing powers and statutorily-prescribed procedures, is nearing completion. The project also involves an empirical study of the agencies themselves, covering the questions of the procedures actually followed (whether prescribed or not), the visibility of the procedures, and the need for additional powers and for a coordinating body.

Cost of Credit Disclosure Legislation

The cost of credit disclosure project has been undertaken by the Institute in cooperation with the Uniform Law Conference of Canada, with the support of Deputy Ministers of Consumer and Corporate Affairs from across Canada. Its object is to develop model cost of credit disclosure legislation that could be adopted by different provincial legislatures and by Parliament in the areas of consumer credit for which they respectively have responsibility. Such legislation already exists but has some deficiencies and unnecessary variations from jurisdiction to jurisdiction. The Institute has circulated and received comments on suggested principles for uniform cost of credit disclosure legislation. The next anticipated step is circulation of a discussion draft of uniform cost of credit disclosure legislation, which is planned for late November or December.

Dispute Resolution

The Institute has an ongoing interest in this subject. We have maintained a continuing review of current developments in Alternative Dispute Resolution, as well as research on discoveries, mini-trials and the use of pre-trial case management techniques. Over the past year, this work has been primarily directed in close cooperation with two Law Society committees—initially the Civil Practice Advisory Committee and more recently the Civil Practice Steering Committee. The Steering Committee, with representatives of the Court of Appeal, the Court of Queen's Bench and the practicing bar, is considering methods which might expedite the civil litigation process, thereby reducing the costs to everyone involved. Working with the Committee gives the Institute the opportunity to pursue its general interest in Dispute Resolution with the added benefit of specific input from representatives of the bench and bar. The Institute is considering the possibility of issuing several of its own discrete reports on particular aspects of Dispute Resolution, but this will depend to some extent upon the recommendations made by the Steering Committee.

Evidence of Disadvantaged Witnesses

This project was initiated as a result of federal reforms with respect to children's evidence. The project endeavours to examine key rules of evidence that have impacted upon the ability of children and other disadvantaged witnesses (such as those with mental disability) to provide evidence in court and before other tribunals.

The discussion report, which is in the stage of final revisions, examines the following key rules of evidence: oaths, affirmation and unsworn evidence; corroboration requirements: hearsay evidence; and alternative forms of evidence such as the usage of videotaped evidence. The report will make recommendations for amendments to the *Alberta Evidence Act* in each of these key areas.

Model Land Titles Act

The purpose of this project is to prepare a revised Land Titles Act for Alberta. In August 1990, the Institute issued its Discussion Paper No. 8, *Towards a New Land Titles Act*, which tentatively recommended the adoption of a new Land Titles Act along the lines of the Model Land Recording and Registration Act that was prepared by the Joint Committee on Land Titles. The Institute proposes to prepare a final report, which will include a draft Act and will make recommendations about what to do with the substantive law and administrative provisions that are not included in the draft Act.

The Model Act substitutes a clearer and more comprehensible interest recording system for the caveat and notice systems that have been developed in some provinces. It rationalizes the title registration system and provides solutions for some of the problems that have been created by land titles legislation, such as the results of fraud and unauthorized transactions, the rights of volunteers and the effect of conflicting registers. It was prepared by the Joint Committee on Land Titles, which includes representatives of most of the provinces and of the two territories. Some revisions were agreed to by the Joint Committee in April 1992, following consultation in Alberta and elsewhere.

Liens

The Institute has undertaken a project on the reform of the law of liens on personal property. Professor Roderick Wood of the Faculty of Law at the University of Alberta is acting as consultant to the project. The report for discussion which will include draft legislation, will propose adoption of a single statute governing the validity, priority and enforcement of liens on personal property. The report will also propose an expansion of the registration capability so that all possessory liens could be converted into non-possessory liens by registration of a financing statement in the Personal Property Registry.

Plain Language

With the assistance of a special project grant from the Alberta Law Foundation, work has commenced on initiatives in Plain Language. Six teams of writers, subject-matter experts and reviewers have worked on demonstration projects, to produce plain language versions of various documents and to record the process and challenges of the task. The documents are: personal guarantee; simple will; enduring power of attorney; restraining order; support, custody and property agreement; school activity consent form.

Subsequent stages of the initiative will test these documents and organize the collective experience of the teams into guidelines for plain language practice and teaching materials for use by other groups.

Provincial Family Law Legislation

The Institute has undertaken a project on the reform of Alberta's family law legislation—principally the *Domestic Relations Act*. Much research has been completed by Professor Julien Payne of the Faculty of Law at the University of Ottawa who is acting as a consultant to the project. Work on the project has been divided into three phases. A report for discussion will be issued in each phase for the purpose of consultation with the family law bar, judiciary and public. The first phase involves the examination of matrimonial and other family causes of action under the *Domestic Relations Act*, most of which have become obsolete. The report for discussion on this phase is nearly ready for publication. The second phase involves study of the law and principles governing spousal and child support. Progress on this phase is well under way. The third phase will involve review of the law governing the relationship between parent and child with respect to guardianship, custody and access.

Rationalizing Succession Legislation

Description of project:

1. To rationalize all provincial legislation having to do with
   (a) succession to property on the death of the owner;
   (b) administration of estates on death.
2. Rationalization includes
   (a) putting all relevant statutes in one place (possibly a Code);
   (b) updating statutes—in some cases the updates are minor; in other cases the updates may involve a major change in policy.

Statutes

1. All relevant Alberta statutes have been collected and categorized.
2. Preliminary Table of Contents prepared.
3. First drafts are prepared for
   (a) Division 1—Testate Succession
   (b) Division 2—Intestate Succession
   (c) Division 3—Survivorship (now drafting).

Section 14 of the *Interpretation Act*

This project asks whether the presumption of Crown immunity from statute, as enacted in section 14 of the *Interpretation Act*, should be reversed. The research has involved: a review of the history and policy of the presumption of immunity, and of the call for reversal by academics and judges; and a review of the cases in the last decade in which the Crown has relied on its immunity; and a review of the existing law on this issue in Alberta (at present in a confused state). The Institute has tentatively concluded that the presumption should be reversed, but has sought the assistance in the Crown in identifying areas in which immunity is justified and ought to be preserved, and in determining a method for reviewing statutes to determine if they should be made applicable to the Crown.

The Operation of Securities Depositories

The Institute continues to work towards a draft Report for Discussion on this project. The focus of the project has changed substantially from the outset, when the Institute was asked to consider specific amendments proposed for the Business Corporations Act, which were intended to accommodate depository operations. The Institute has found it necessary to go beyond the specific proposed amendments to deal with a much broader range of issues, including the property concept of modern securities transactions, constitutional jurisdiction over securities transactions, and the impact of current securities holding practices on corporate governance. These issues have national and international significance in the securities markets, so the Institute is approaching them with a view to advancing a framework for uniformity, as opposed to merely local (Alberta) considerations.

ACKNOWLEDGEMENTS

The Alberta Law Reform Institute is a unique structure. It's founding parties recognized the need for a truly independent law reform agency where excellence in research would lead to practical improvements in the law and administration of justice. Through five successive renewals of the founding agreement and twenty-five years of operation, the Province, the Law Society and the University of Alberta continue to support the operations of the Institute.

We are grateful to these entities for their continuing support and for the confidence which they place in the Institute's work. We are also aware that this unique arrangement places special responsibilities and privileges on the Institute and we trust that we earn that continued confidence.

There are individuals within our founders with whom we have the closest contact. The Attorney General, The Honourable Kenneth L. Rostad, and the Deputy Attorney General, Neil McCrank, have provided valuable assistance in the Institute's agenda. The President of the Law Society, J.G. Martland, Q.C., and the Secretary, P.L. Freeman, Q.C., have provided an informed and direct link to the profession. The University President, P. Davenport, and the former Vice-President (Academic), Dr. J.P. Meekison, have encouraged our efforts and continue to provide our home base.

The Alberta Law Foundation is a significant Institute funder and a valuable source of fiscal advice. To the Board members, the former Chairman, Mr. Phil North, Q.C. and the present Chairperson, Mrs. Barbara Romaine, Q.C. we express our gratitude. A special vote of thanks must be given to Mr. Owen Snider, the Foundation Executive Director, whose assistance has monitored, encouraged and audited our activities in such a supportive but responsible manner.

There are many volunteers who have assisted on Project Committees or who have been consulted on projects or parts of them. Most, we hope, are mentioned in individual reports but here we express a more global appreciation for the day-to-day help without which our work would be less valuable.

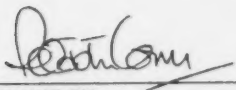
Within the Institute, Board members work tirelessly to provide guidance on Institute affairs and to wrestle with the significant policy issues presented to them. Through the able chairmanship of Mr. Alan Hunter, Q.C., they provide the vital checks and contributions to all the Institute's work.

At the heart of the work are the legal counsel whose research and analysis are the mark of our work. They have many and special skills. As a group, and as individuals, they are special people whose contribution to the law reform process deserves specific recognition.

C.W. DALTON
A. FRUMAN
W.H. HURLBURT, Q.C.
D.P. JONES, Q.C.
J.C. LEVY
B.L. RAWLINS

J.L. FOSTER, Q.C.
A.D. HUNTER, Q.C.
H.J.L. IRWIN
F.A. LAUX
P.J.M. LOWN
A.C.L. SIMS, Q.C.

CHAIRMAN



DIRECTOR

August 1992

APPENDIX

INSTITUTE REPORTS

	FINAL REPORT	ENACTMENT
1*	Compensation for Victims of Crime (1968)	Criminal Injuries Compensation Act, R.S.A. 1970, c. 75 (now R.S.A. 1980, c. C-33, am. by S.A. 1982, c. 14)
2*	Powers of Personal Representatives to Grant Options (June 1969)	Wills Act, R.S.A. 1970, c. 393, s. 30 (now R.S.A. 1980, c. W-11, s. 30) Devolution of Real Property Act, R.S.A. 1970, c. 109, s. 13 (now R.S.A. 1980, c. D-34, s. 12)
3*	Occupiers' Liability (December 1969)	Occupiers' Liability Act, S.A. 1973, c. 79 (now R.S.A. 1980, c. O-3)
4*	Age of Majority (January 1970)	Age of Majority Act, S.A. 1971, c. 1 (now R.S.A. 1980, c. A-4)
5*	Guarantees Acknowledgment Act, R.S.A. 1970, c. 173 (October 1970)	Principal recommendation for retention of Guarantees Acknowledgment Act (now R.S.A. 1980, c. G-12) accepted. Recommendations for incidental amendments not acted upon.
6*	Rule Against Perpetuities (August 1971)	Perpetuities Act, S.A. 1972, c. 131 (now R.S.A. 1980, c. P-4)
7*	Joinder of Divorce Proceedings with other Causes of Action (August 1971)	Alberta Rules of Court, Rule 563(3), Alta. Reg. 315/71
8*	Assignment of Wages (October 1971)	Wage Assignments Act, S.A. 1972, c. 61 (now R.S.A. 1980, c. W-1)
9*	Rule in *Saunders v. Vautier* (February 1972)	S.A. 1973, c. 13, s. 12 amending the Trustee Act, R.S.A. 1970, c. 373, s. 37 (now R.S.A. 1980, c. T-10, s. 42)
10*	Powers of Maintenance and Advancement (June 1972)	S.A. 1974, c. 65, s. 9 amending the Trustee Act, R.S.A. 1970, c. 373, ss 31-33 (now R.S.A. 1980, c. T-10, ss 32, 34, 35, 36(3), 37)
11*	Common Promisor and Promisee: Conveyances with a Common Party (October 1972)	Common Parties Contracts and Conveyances Act, S.A. 1974, c. 20 amended 1975, c. 5 (2 sess.) (now Law of Property Act, R.S.A. 1980, c. L-8, ss 10-13; Land Titles Act, R.S.A. 1980, c. L-5, ss 71, 72, 119)
12*	Expropriation (March 1973)	Expropriation Act, S.A. 1974, c. 27 (now R.S.A. 1980, c. E-16)

* INDICATES REPORT NO LONGER IN PRINT.

	FINAL REPORT	ENACTMENT
13*	Judicature Act, Section 24 (August 1974)	S.A. 1974, c. 65, s. 9 striking out s. 24 of the Judicature Act, R.S.A. 1970, c. 193
14	Minors' Contracts (January 1975)	
15*	Validity of Rules of Court (December 1974)	S.A. 1976, c. 58, s. 6(4) amending the Judicature Act, R.S.A. 1970, c. 193, s. 39 (now R.S.A. 1980, c. J-1, s. 47)
16*	Rule in *Hollington v. Hewthorn* (February 1975)	S.A. 1976, c. 57, s. 1 amending the Alberta Evidence Act, R.S.A. 1970, c. 127, s. 27 (now R.S.A. 1980, c. A-21, s. 27)
17*	Small Projects (June 1975)	S.A. 1976, c. 55, s. 2 amending the Workers' Compensation Act, S.A. 1973, c. 87, s. 15 (now R.S.A. 1980, c. W-15, s. 15); S.A. 1976, c. 58, s. 3 amending the Bulk Sales Act, R.S.A. 1970, c. 37 (now R.S.A. 1980, c. B-13, ss 1(f), (j), 4(2), 6(b), 7, 14)
18*	Matrimonial Property (August 1975)	Matrimonial Property Act, S.A. 1978, c. 22 (now R.S.A. 1980, c. M-9), enacting a combination of the majority and minority proposals for the distribution of matrimonial property, and an extension of the recommendations on possession of the matrimonial home
19*	Consent of Minors to Health Care (December 1975)	
20	Status of Children (June 1976)	Substantially enacted, pursuant to the recommendations in Report 60 by the Family and Domestic Relations Statutes Amendment Act, 1991, S.A. 1991, c. 11.
21*	Purchase by a Company of Shares Which It Has Issues (January 1977)	S.A. 1977, c. 13, s. 2 amending the Companies Act, R.S.A. 1970, c. 60, s. 41 (reenacted as R.S.A. 1980, c. C-20, ss 42-49, 51-54, then superseded by S.A. 1981, c. B-15, ss 32 and 33: see Report 36)
22*	Residential Tenancies (February 1977)	Landlord and Tenant Act, 1979, S.A. 1979, c. 17 (now R.S.A. 1980, c. L-6), based in large part on our recommendations
23*	Partition and Sale (March 1977)	Partition and Sale Act, S.A. 1979, c. 59 (now Law of Property Act, R.S.A. 1980, c. L-8, ss 14-19, 20-34)
24	Survival of Actions and Fatal Accidents Act Amendment (April 1977)	Survival of Actions Act, S.A. 1978, c. 35 (now R.S.A. 1980, c. S-30; Fatal Accidents Act R.S.A. 1980, c. F-5, ss 5(2)(a), (b), 8; and Limitation of Actions Act, R.S.A. 1980, c. L-5, s. 53)

	FINAL REPORT	ENACTMENT
25	Family Law Administration: the Unified Family Court (April 1978)	
26	Family Law Administration: Court Services (April 1978)	Some recommendations carried out by administrative action.
27	Matrimonial Support (March 1978)	S.A. 1977, c. 64 amending Part 4 of the Domestic Relations Act, R.S.A. 1970, c. 113 (now covered by the Maintenance Enforcement Act, S.A. 1985, c. M-0.5, establishing a collection service for support orders which is generally consistent with though different in detail from our recommendations, and providing improved collection procedures which are similar to but in several particulars more stringent than our proposals); S.A. 1977, c. 92 amending the Social Development Act, R.S.A. 1970, c. 345 (now R.S.A. 1980, c. S-16, ss 14, 15); S.A. 1978, c. 49, s. 2 amending the Debtors' Assistance Act, R.S.A. 1970, c. 86 (now R.S.A. 1980, c. D-5, ss 3(2), 3(3), 4(e)-(f), (6) (Our proposals for change in the substantive law have not yet been implemented.)
28	Tenancies of Mobile Home Sites (April 1978)	Mobile Home Sites Tenancies Act, S.A. 1982, c. M-18.5
29	Family Relief (June 1978)	
30*	The Builders' Lien Act: Certain Specific Problems (March 1979)	S.A. 1985, c. 14 amending the Builders' Lien Act, R.S.A. 1980, c. B-12
31	Contributory Negligence and Concurrent Wrongdoers (April 1979)	
32	Guest Passenger legislation (April 1979)	Proclamation 5 July 1979 of previously enacted S.A. 1977, c. 76, s. 6 to come into force 1 September 1979 (now Insurance Act, R.S.A. 1980, c. I-5, s. 310) (This is not the principal recommendation of the Report.) Gratuitous Passengers and Interspousal Tort Immunity Statutes Amendment Act (S.A. 1990, c. 22, s. 1).
33	Inter-Spousal Tort Immunity (April 1979)	Gratuitous Passengers and Interspousal Tort Immunity Statutes Amendment Act (S.A. 1990, c. 22, ss 2 and 3).
34	Service of Documents During Postal Interruptions (June 1979)	S.A. 1980, c. 88 (now Judicature Act, R.S.A. 1980, c. J-1, ss 33-37)

FINAL REPORT		ENACTMENT
35*	Defamation: Fair Comment and Letters to the Editor (October 1979)	S.A. 1980, c. 11 amending the Defamation Act, R.S.A. 1970, c. 87 (now R.S.A. 1980, c. D-6, s. 9)
36*	Proposals for a New Alberta Business Corporations Act (August 1980), 2 vols.	Business Corporations Act, S.A. 1981, c. B-15
37A	The Uniform Evidence Act 1981: A Basis for Uniform Evidence Legislation (June 1982)	
37B	Evidence and Related Subjects: Specific Proposals for Alberta Legislation (June 1982)	
38	The Uniform Sale of Goods Act (October 1982)	
39	Defences to Provincial Charges (March 1984)	
40	Judicial Review of Administrative Action: Application for Judicial Review (March 1984)	Court of Queen's Bench Amendment Act, 1987, S.A. 1987, c. 17
41	Compensation for Security Interests in Expropriated Land (May 1984)	
42	Debt Collection Practices (June 1984)	
43	Protection of Children's Interests in Custody Disputes (October 1984)	
44	Statute of Frauds (June 1985)	
45*	Status of Children: Revised Report, 1985 (November 1985)	Substantially enacted, pursuant to the recommendations in Report 60 by the Family and Domestic Relations Statutes Amendment Act, 1991, S.A. 1991, c. 11.
46*	Trade Secrets (July 1986)	Draft statute adopted by Uniform Law Conference of Canada, Victoria, B.C., August 1987
47	Survivorship (August 1986)	
48	Matrimonial Property: Division of Pension Benefits Upon Marriage Breakdown (June 1986)	
49	Proposals for a New Alberta Incorporated Associations Act (March 1987)	Bill 54 (Volunteer Incorporations Act) introduced into Alberta Legislature, June 15, 1987
50	Prejudgment Remedies for Unsecured Claimants (February 1988)	
51	Proposals for a New Alberta Arbitration Act (October 1988)	Arbitration Act, S.A. 1991, c. A-43.1.
52	Competence and Human Reproduction (February 1989)	

	FINAL REPORT	ENACTMENT
53	Towards Reform of the Law Relating to Cohabitation Outside Marriage (June 1989)	
54	Financial Assistance by a Corporation: Section 42, The Business Corporations Act (Alberta) (August 1989)	
55	Limitations (December 1989)	
56	The Bulk Sales Act (January 1990)	Miscellaneous Statutes Amendment Act, 1992, S.A. 1991, c. 21, s. 5.
57	Section 16 of the Matrimonial Property Act (March 1990)	Miscellaneous Statutes Amendment Act, 1991, S.A. 1991, c. 21, s. 24.
58	Division of Canada Pension Plan Credits in Alberta (November 1990)	
59	Enduring Powers of Attorney (December 1990)	Powers of Attorney Act, S.A. 1991 c. P-13.5.
60	Status of Children: Revised Report, 1991 (March 1991)	Family and Domestic Relations Statutes Amendment Act, 1991, S.A. 1991, c. 11.
61	Enforcement of Money Judgements (March 1991)	
		The principal recommendation of Research Paper 18 was implemented by Alta. Reg. 308/91
		The principal statutory amendments anticipating the new rules were enacted in the Miscellaneous Statutes Amendment Act, s. 21, s. 48.

REPORTS FOR DISCUSSION

1*	Protection of Trade Secrets (February 1984)
2	Matrimonial Property: Division of Pension Benefits upon Marriage Breakdown (May 1985)
3	Remedies of Unsecured Creditors (May 1986)
4	Limitations (September 1986)
5	Financial Assistance by a Corporation: Section 42, The Business Corporations Act (Alberta) (August 1987)
6	Sterilization Decisions: Minors and Mentally Incompetent Adults (March 1988)
7	Enduring Powers of Attorney (February 1990)
8	Towards a New Alberta Land Titles Act (August 1990)
9	Mortgage Remedies in Alberta (April 1991)
10	Revision of the Surrogate Rules (October 1991)
11*	Advance Directives and Substitute Decision-Making in Personal Health Care (November 1991)
12	Non-Pecuniary Damages in Wrongful Death Actions — A Review of Section 8 of the Fatal Accidents Act (June 1992)

* INDICATES REPORT NO LONGER IN PRINT.

ISSUES PAPERS

1 Towards a New Arbitration Act for Alberta (July 1987)
2 Towards Reform of the Law Relating to Cohabitation Outside Marriage (October 1987)
3 Public Inquiries (November 1991)

RESEARCH PAPERS

1* Rent Control; Security of Tenures (November 1975)
2* Entry of Landlord; Locks and Security Devices (November 1975)
3* Obligation to Repair; Security Deposits (November 1975)
4* Termination Procedures; Failure of Tenants to Pay Rent; Overholding Tenants (November 1975)
6* Resolution of Disputes; Landlord and Tenant (Advisory) Boards; Distress (November 1975)
7* Contract or Property Law; Form and Delivery of Lease; Right to Assign or Sublet (November 1975)
8* Mobile Homes (November 1975)
9* Consent of Minors to Medical Treatment (May 1975)
10 Illegitimacy (June 1974)
11* Administration of Family Law: The Unified Family Court: Constitutional Opinions (May 1978)
12* Statute of Frauds (May 1979)
13 Matrimonial Support Failures: Reasons, Profiles and Perceptions of Individuals Involved (Canadian Institute for Research in the Behavioral and Social Sciences: May 1981)
14 Conference Materials, International Invitational Conference on Matrimonial and Child Support, 27-30 May 1981 (October 1982)
15 Survey of Adult Living Arrangements: A Technical Report (November 1984)
16 The Operation of the Unsecured Creditors' Remedies System in Alberta (March 1986)
17 Corporate Directors' Liability (February 1989)
18 Report on Referees (February 1990)
19 Dispute Resolution: A Directory of Methods, Projects and Resources (July 1990)

* INDICATES REPORT NO LONGER IN PRINT.